

REMARKS / ARGUMENTS

Claims 1-16 were pending and considered in the current Office Action. Claims 1-4 and 9-16 were rejected. Claims 5-8 were objected to as dependent on a rejected base claim.

The Specification has been objected to as not providing proper antecedent basis for the claimed subject matter concerning Claims 1,4,5,6,7,10,13,14,15. The Specification has been amended on pages 4 and 5 to incorporate a proper antecedent basis for Claims 1,4,5,6,7, and 10. Claims 13,14, and 15 have been canceled. No new matter has been added by this amendment and support for the amendment can be found throughout the application and particularly in Claims 1,4,5,6,7, and 10. Applicants respectfully submit that this objection has been fully responded to and obviated and as such respectfully request reconsideration of this objection.

Claims 1,4,11,13-16 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claim 1 has been amended to more clearly state that the metal oxide inherently possesses the characteristic of specific energy. Specific energy is a term known to one skilled in the art and can be determined by one skilled in the art. Supporting documentation has been enclosed. These documents were downloaded from various websites to support the claim that “specific energy” is a well-defined term, inherent, and known to one skilled in the art. Applicants respectfully submit that this obviates the rejection of Claim 1 based on indefiniteness and respectfully request reconsideration of this rejection.

Claim 4 has been amended to correct a typographical error. The term “50 cm” should have read and has been amended to read “50 ccm” which does make the flow rate stated in a measurement of units per time as suggested by the Examiner. Applicants respectfully submit that this obviates the rejection of Claim 4 based on indefiniteness and respectfully request reconsideration of this rejection.

Claim 10 has been amended to remove the reference to a “sufficient amount” which was also removed from Claim 1.

Claim 11 has been amended to correct a typographical error. The term “50 – 350 cm” should have read and has been amended to read “50 – 350 ccm” which does make the flow rate stated in a measurement of units per time as suggested by the Examiner. Applicants respectfully submit that this obviates the rejection of Claim 11 based on indefiniteness and respectfully request reconsideration of this rejection.

Claims 13-16 have been canceled and as such this rejection of Claims 13-16 has been removed.

Claims 12-16 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Owens et al. Claims 12-16 have been canceled and as such this rejection of Claims 12-16 has been removed.

Claims 1-3,9,10,12-16 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Saidi ‘261. The Examiner states that “Saidi suggests the instantly claimed process of heating V₂O₅ in a carrier gas and then cooling same which would appear to form the instantly claimed product having the instantly claimed limitations.” Furthermore, Claims 1,13 and 14 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Lieber ‘945. The Examiner states that “Lieber suggests the instantly claimed process of heating MgO with argon gas to form nanorods of MgO which implies that they were cooled after they were heated.” Claims 12-16 have been canceled and as such these rejections as concerns Claims 12-16 have been obviated. Applicants therefore respectfully submit the following traversal as concerns Claims 1-3, 9, and 10 and these rejections.

Claims 5-8 were objected to only for being dependent on a rejected base claim, that being Claim 1. Amended Claim 1 now includes the limitation of Claim 8 and, Applicants respectfully submit that all other objections and rejections to Claim 1 have been obviated and/or traversed. In other words, Claim 1 is now in condition for allowance as it is Claim 8, an allowed claim, written in independent form including all the limitations and the cited prior art of record does not cover all these limitations. As such, Claim 8 has been canceled. Furthermore, as amended Claim 1 is in condition for allowance, Applicants respectfully submit that Claims 2, 3, 9, and 10 are also in condition for allowance as they depend from the amended and now allowable Claim 1. Similarly, Applicants respectfully submit that Claims 5-7 are in condition for allowance.

Claims 14-16 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Ikawa '491. Claims 14-16 have been canceled and as such this rejection has been obviated.

Conclusion

In conclusion, Applicants respectfully submit that the Examiner's Office Action has been fully responded to with traverse and that at least Claims 1-7 and 9-11 are in condition for allowance. In the furtherance of compact prosecution, if a personal or telephone interview would help expedite matters, the Examiner is requested to contact Steve Hunnius at 202-404-1558.

No new matter has been added by this amendment.

Kindly charge any additional fees due, or credit overpayment of fees, to Deposit Account No. 50-0281.

Patent Application
NC 83,068

Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "S. T. Hunnius", with a large, stylized flourish extending to the right.

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